

Superseded 5/12/2015

62A-7-104 Division responsibilities.

- (1) The division is responsible for all youth offenders committed to it by juvenile courts for secure confinement or supervision and treatment in the community.
- (2) The division shall:
 - (a) establish and administer a continuum of community, secure, and nonsecure programs for all youth offenders committed to the division;
 - (b) establish and maintain all detention and secure facilities and set minimum standards for those facilities;
 - (c) establish and operate prevention and early intervention youth services programs for nonadjudicated youth placed with the division; and
 - (d) establish observation and assessment programs necessary to serve youth offenders committed by the juvenile court for short-term observation under Subsection 78A-6-117(2)(e), and whenever possible, conduct the programs in settings separate and distinct from secure facilities for youth offenders.
- (3) The division shall place youth offenders committed to it in the most appropriate program for supervision and treatment.
- (4) In any order committing a youth offender to the division, the juvenile court shall specify whether the youth offender is being committed for secure confinement or placement in a community-based program. The division shall place the youth offender in the most appropriate program within the category specified by the court.
- (5) The division shall employ staff necessary to:
 - (a) supervise and control youth offenders in secure facilities or in the community;
 - (b) supervise and coordinate treatment of youth offenders committed to the division for placement in community-based programs; and
 - (c) control and supervise nonadjudicated youth placed with the division for temporary services in receiving centers, youth services, and other programs established by the division.
- (6) Youth in the custody or temporary custody of the division are controlled or detained in a manner consistent with public safety and rules promulgated by the division. In the event of an unauthorized leave from a secure facility, detention center, community-based program, receiving center, home, or any other designated placement, division employees have the authority and duty to locate and apprehend the youth, or to initiate action with local law enforcement agencies for assistance.
- (7) The division shall establish and operate compensatory-service work programs for youth offenders committed to the division by the juvenile court. The compensatory-service work program shall:
 - (a) provide labor to help in the operation, repair, and maintenance of public facilities, parks, highways, and other programs designated by the division;
 - (b) provide educational and prevocational programs in cooperation with the State Board of Education for youth offenders placed in the program; and
 - (c) provide counseling to youth offenders.
- (8) The division shall establish minimum standards for the operation of all private residential and nonresidential rehabilitation facilities which provide services to juveniles who have committed a delinquent act, in this state or in any other state.
- (9) In accordance with policies established by the board, the division shall provide regular training for staff of secure facilities, detention staff, case management staff, and staff of the community-based programs.
- (10)

- (a) The division is authorized to employ special function officers, as defined in Section 53-13-105, to locate and apprehend minors who have absconded from division custody, transport minors taken into custody pursuant to division policy, investigate cases, and carry out other duties as assigned by the division.
 - (b) Special function officers may be employed through contract with the Department of Public Safety, any P.O.S.T. certified law enforcement agency, or directly hired by the division.
- (11) The division shall designate employees to obtain the saliva DNA specimens required under Section 53-10-403. The division shall ensure that the designated employees receive appropriate training and that the specimens are obtained in accordance with accepted protocol.
- (12) The division shall register with the Department of Corrections any person who:
- (a) has been adjudicated delinquent based on an offense listed in Subsection 77-41-102(16)(a);
 - (b) has been committed to the division for secure confinement; and
 - (c) remains in the division's custody 30 days prior to the person's 21st birthday.